TOWNSHIP OF FREMONT

COUNTY OF TUSCOLA
MAYVILLE, MICHIGAN 48744
Zoning Board of Appeals Meeting
October 22, 2026

Board Present: Greg Eggert, Frank Ellicott, Jim Holmes, Jack Campbell, Arland Draper (alternate), and Amy Prill (alternate).
Board Absent: Soleiman Seghatoleslami
Guests: Jerry White (Zoning Administrator), Gail Prill, Duwilon Elledge, Zach Williams, Chad Williams, Jodi Williams, Dominic Knoll, Tim Wingert, Henry Wymore, Jamie Ostrowski, Will Stolicker, Brian Garner (Township Attorney), Michael Palmer, Rita Palmer, Michael Humphries (Mid Thumb Materials), and 4 other guests.

Meeting opened at 7:00 p.m. by Eggert.

MINUTES:
Motion by Holmes, seconded by Ellicott to approve the November 9, 2021 minutes as presented – motion carried.

ELECT CO-CHAIR & SECRETARY:
Eggert stated that the Board needed to elect a co-chairperson and a secretary. He stated that since the ZBA has a recording secretary the elected secretary is just a formality.
Campbell nominated himself as co-chairperson and Eggert seconded the nomination – motion carried.
There were no nominations or volunteers for secretary so Eggert nominated Seghatolslami as secretary and Draper seconded the nomination – motion carried.

SET MEETING DATE:
Eggert stated that we needed to set the next meeting date and that it should be 30 days after this meeting. Since that would put the meeting date around the holidays the Board decided to set the meeting for December 3, 2026, at 7:00 p.m.

PUBLIC COMMENT:
Eggert opened the meeting for pubic comment for topics other than the appeal. There were no public comments.

APPEAL:
Eggert explained the reason for the ZBA appeals meeting and read the guidelines. He also stated that he did receive one letter from a property owner wanting the board not to approve the request. He stated that since Seghatolslami was absent that Draper is stepping in as the alternate. Eggert also explained that since he was part of the Planning Commission that decided the special land use criteria he would be excusing himself from the meeting and that Prill as the other alternate will be stepping in to fill his seat.

PUBLIC COMMENT:
At 7:08 p.m. Prill opened the meeting for public comments regarding the appeal. A Resident questioned what was going on with the cease & desist and if the pit could be operating at this time. Prill asked the Township Attorney to respond to this question and he stated that the pit is not allowed to operate or haul out but they can be on the property. They cannot be crushing or processing gravel. The Zoning Administrator also mentioned that there was no loading equipment on site. Another Resident stated that there has also been no dust control done on the road which the special land use required. A Resident stated that they are not in favor of a gravel pit at the proposed location. Another Resident commented that they do not feel it was fair to just send out four notices and not notify everyone that this will be affecting. Prill

stated that the law requires that property owners within 300' of the parcels be notified and that we reached out to the Fremont and Indianfields Assessor's to get the list of property owners within that 300' and that 12 letters were mailed out. It was also published in the Tuscola County Advertiser and the Mayville Monitor. With no additional comments; Prill closed public comments at 7:20 p.m.

MICHAEL HUMPHRIES (Mid Thumb Materials):
Humphries stated that he is recording this meeting for his own record. He also stated that he is participating under protest because he was not given the 15-day written notice that was required. He also stated that because he did not receive notice in a timely fashion that he was not able to get his evidence to the board any sooner than the day before the meeting. He wanted to confirm with the clerk that the evidence information was received and Prill stated that the packets were received and were given to all board members. Humphries gave evidence that the required $200,000 road bond and $500,000 reclamation bond were not reasonable. Humphries stated that his bonding company cannot provide a $200,000 bond for a project that costs under $25,000. Humphries stated that a $25,000 road bond and a $50,000 reclamation bond were fair. At this point the Township Attorney did mention to the board that because of the lack of notification the board can decide to re-schedule the meeting for a later date. The attorney also stated that since he did not send the notice to the applicant he would pay to publish the rescheduled meeting date in the newspaper. Humphries and the property owners did not want the meeting delayed. Holmes also stated that it seemed that everyone present would like this settled today and not be delayed. The attorney asked Humphries if he was wanting to move forward with this meeting and not reschedule and Humphries said yes. Humphries then stated that he has a haul agreement with the Tuscola County Road Commission and also has a contract with them to bring this section of Lobdell Road to a Class A road. Humphries also stated that he talked with the Road Commission Engineer and was assured that they can haul Class A loads on this road prior to the upgrade being completed due to the fact that the road commission cannot complete this project until the spring.

BOARD DISCUSSION:
Board Discussion opened at 7:35 p.m. Holmes stated that he did some surveying of Lobdell Road and he estimates the cost for the road would be around $23,958. Humphries also stated that the haul agreement through the Road Commission would be reviewed every two years and if there is road work to be done that Mid Thumb Materials is required to pay for these fixes. Holmes thinks that what Humphries is requesting is within his rights. Holmes also feels that a $50,000 reclamation bond is reasonable. Draper also stated that a $500,000 reclamation bond seems high. Ellicott stated that he thinks the $500,000 reclamation bond requirement is too much but that $50,000 is too little. Ellicott asked Draper if he thought that the property could be reclaimed for $50,000 even if it is done 12 years from now and Draper stated yes, $50,000 is enough. It was also commented that since the special land use and contracts with the property owners is setup for review in 2 years (2027), 5 years (2032), and 5 years (2037) that the bonds could be less. Campbell asked the board what they thought was fair to require for the bonds. Holmes stated that he felt a $25,000 road bond and $50,000 reclamation bond was fair. The ZBA feels that since the Planning Commission did not have enough information for their original decision and that with the new information provided to the ZBA they can lower the bond requirements.

MOTION: Motion made by Draper, seconded by Campbell to amend the road bond to $25,000.00 and the reclamation bond to $50,000.00 for the lifetime of the special land use with property owner review of the reclamation.

Roll call vote: Draper-yes, Campbell-yes, Ellicott-no, Holmes-yes, and Prill-no. Motion carried.

Motion by Holmes, seconded by Draper to adjourn the meeting at 8:02 p.m. – motion carried.

Respectfully submitted by
Amy L. Prill, Recording Secretary